



# U.S. DEPARTMENT of STATE

## Finland

### Country Reports on Human Rights Practices - [2004](#)

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Finland is a constitutional republic with a directly elected head of state (President), a Parliament, a head of government (Prime Minister), and an independent judiciary. Elections to the 200-seat Parliament were held in March 2003 and led to the formation of a new coalition government led by the Center Party. The judiciary is independent.

The Ministry for the Interior oversees police and Frontier Guard forces. The Ministry for Defense oversees the military. Civilian authorities maintained effective control of all military and security forces. There were no reports that security forces committed human rights abuses.

The economy was chiefly market-based and provided citizens with a high standard of living. The population was approximately 5.2 million, and in 2003, economic growth was estimated at 2 percent.

The Government generally respected the human rights of its citizens, and the law and judiciary provided effective means of addressing individual instances of abuse. Domestic violence, primarily toward women, remained a problem, and the Government took steps to address it. There were also reports of trafficking in persons to and through the country, primarily for sexual exploitation.

## RESPECT FOR HUMAN RIGHTS

### Section 1

Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

#### b. Disappearance

There were no reports of politically motivated disappearances.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices, and there were no reports that government officials employed them.

There were reports of police discrimination against immigrants (see Section 5).

Prison conditions generally met international standards, and the Government permitted visits by independent human rights observers. Prisoners had access to adequate health care and legal assistance. Male and female prisoners were held in separate facilities, and female prisoners had access to specialized health and social services. Juvenile offenders were held separately from adults and given access to specialized social services for young offenders. Pretrial detainees were held separately from incarcerated convicts.

#### d. Arbitrary Arrest or Detention

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions.

The national police force is centralized under the control of the Ministry of the Interior. The Ministry of the Interior also controls

various other law enforcement organizations such as the Frontier Guards, Customs and Immigration Agencies, the National Bureau for Investigation, and the Security Police. These organizations carried out their responsibilities for law enforcement and maintenance of order; however, chronic underfunding sometimes compromised their effectiveness.

A warrant is required for an arrest. If an individual is arrested while committing a crime, a warrant must be obtained within 3 days. Once arrested, the accused must receive a court hearing within 3 days. These provisions were generally enforced in practice. There is no regular system of bail. Criminal detainees were allowed prompt access to counsel and family. Preventive detention is allowed only in exceptional circumstances, such as during a declared state of war, or for narrowly defined offenses, including treason, mutiny, and large-scale arms trafficking. There were no reports of preventive detention.

The Minority Ombudsman criticized police treatment and length of detention for some asylum seekers (see Section 2.d.).

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

The judiciary consists of the Supreme Court, the Supreme Administrative Court, and a system of lower courts. The President appoints Supreme Court justices, who in turn appoint the lower court judges. Supreme Court justices serve until their retirement, usually at age 63, although they may opt to continue on the bench until the mandatory retirement age of 67.

The law provides for the right to a fair public trial, and an independent judiciary generally enforced this right. Local courts may conduct closed trials in juvenile and guardianship cases, divorce proceedings, or when publicity would offend morality or endanger the security of the state.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respected these prohibitions in practice.

The Data Protection Ombudsman, an independent authority, monitors the Government's observance of the Personal Data Act. The Government appeared to conform to the Ombudsman's guidance.

Section 2

Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice and did not restrict academic freedom. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and the press. The Government did not restrict access to the Internet.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. The Evangelical Lutheran Church of Finland and the Orthodox Church are recognized as state churches. Over 80 percent of the population belonged to the Lutheran Church. Nontraditional religious groups practiced their religion freely. There was a small but growing Muslim population and a small Jewish community.

All citizens who belonged to one of the two state churches paid a church tax as part of their income tax. However, citizens may opt out of paying this tax by officially disassociating from the church. Nontraditional religious groups were eligible for tax relief provided the Government registered and recognized them as legitimate religious communities.

Religious instruction in Lutheran or Orthodox doctrine is part of the standard curriculum in public schools; however, students may opt to take philosophy or world religion courses instead of the standard curriculum.

The law requires a minimum of 20 members for official recognition of a religious community. A 2003 law regulating registered

religious communities increased their autonomy.

There were a few reports of incidents of anti-Semitic activity, chiefly graffiti such as swastikas and anti-Semitic slogans being spray-painted in public locations. Critiques of Israeli policy occasionally took on anti-Semitic features. In June, the Justice Ministry ruled that the distributor of an anti-Semitic book was liable under "hate speech" provisions and ordered the distributor to pay a fine and remove the book from circulation.

In June, the Helsingin Sanomat, the largest newspaper, ran a political cartoon in a magazine supplement that members of the Jewish community and others interpreted as anti-Semitic. The newspaper subsequently apologized.

The Government criticized anti-Semitism. The Parliament and a local nongovernmental organization (NGO) co-sponsored a conference in Helsinki on anti-Semitism, and officials played an active role in international conferences on anti-Semitism.

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice. The law prohibits forced exile, and the Government did not use it in practice.

The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, and the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution, and granted refugee status or asylum.

On May 1, a new Aliens' Act took effect, which streamlined asylum and immigration application procedures and work and residency permits. Instead of multiple permits, a foreign worker or refugee needs only one permit. Most asylum procedures remained unchanged, but the new law provides that solely the Directorate of Immigration conducts asylum interviews. The law also added an additional category--residence permit for individual humane reasons--which could be used to grant residency in certain special circumstances where an individual might otherwise be ineligible.

A total of 3,204 applications for political asylum were submitted by November 30, compared with 3,321 in all of 2003. Asylum seekers generally came from Eastern and Central Europe and the Balkans. The largest groups included asylum seekers from Serbia and Montenegro, Slovakia (mostly Roma), the Former Yugoslav Republic of Macedonia, Russia, Somalia, Afghanistan, Turkey, and Bosnia-Herzegovina. No asylum requests were made by persons from the new European Union (EU) accession states as of June 30. In 2003, 501 applicants were granted asylum or residency, and approximately 2,440 were rejected. An additional 380 withdrew their applications, left the country, or took flight from protective custody while their cases were being adjudicated and did not return.

The number of asylum approvals has declined in recent years. Immigration authorities attributed this to the drop in the number of applications from Africans and Asians and the fact that many applicants from European countries were chiefly economic migrants. Some NGOs criticized the Government's asylum and immigration policy as too restrictive.

The Government cooperated with the office of the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers. Refugees and asylum seekers whose applications for admission into the country were approved were processed directly for residency. The Government took steps to assist the assimilation and integration of such persons into society. The Government also provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention/Protocol.

The Minority Ombudsman criticized the police treatment of some asylum seekers in the city of Tampere. Detention times are longer in Tampere than elsewhere, and some applicants claimed that they withdrew their applications under pressure from the police. The law allows for the detention of asylum seekers if there is suspicion of criminal activity or a belief that the applicant will disappear if released from police custody.

### Section 3

#### Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Parliamentary elections were held in March 2003 and led to the formation of a new coalition government led by the Center Party. After less than 2 months, a political scandal led to the resignation of Prime Minister Anneli Jaatteenmaki and the appointment of a new government led by Matti Vanhanen.

The law provided for public access to government information, except for information classified for national security purposes, or when release of documents would constitute a violation of privacy laws. The Government provided such access in practice.

There were 76 women in the 200-member Parliament and 8 in the 18-member Cabinet. The President, Tarja Halonen, was a woman. There were 10 members of minorities in the 200-member Parliament and 2 members of minorities in the 18-member Cabinet. The indigenous Sami (Lapp) minority enjoys semi-autonomous status and has its own legislative body.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

On March 24, the Government released its first report on the country's human rights policy and practices. The report covered both the international human rights environment and various human rights issues within the country.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution prohibits discrimination based on sex, age, origin, language, conviction, opinion, or disability; and the Government effectively enforced these prohibitions.

##### Women

Violence against women continued to be a problem. Recent studies revealed alarmingly high rates of domestic violence and abuse. Although police statistics annually reported approximately 10,000 cases of domestic violence, most researchers believed the actual number was significantly higher since many cases went unreported. Up to 30 women die every year as a result of domestic violence. Many researchers attributed this relatively high level of domestic violence to a high rate of alcoholism.

The Government encouraged women to report domestic violence and abuse. The number of calls to the police concerned with domestic violence was not compiled centrally, but it was estimated at 10,000 to 12,000 annually, an estimate that shelter officials believed understated by one-half the number of actual incidents. The Service for Crime Victims provided counseling and social support services to women who were the victims of domestic abuse. The Government funded several organizations that provided assistance to women. The Union of Shelter Homes maintained 23 shelters for victims of domestic violence, including children. There were also special shelters for juveniles, chiefly 15- to 18-year-olds. In addition, municipalities maintained seven shelters across the country. According to researchers, most women seeking shelter from violence were women between 25 and 35 years of age and either married or in a common-law relationship; nearly one-third were immigrants.

The law criminalizes rape, spousal rape, and domestic abuse. Through September, 480 rapes had been reported to the police, compared with 568 in all of 2003. According to the Prosecutor-General's Office, this increase in reported rapes was due to an increased willingness on the part of victims to come forward and less social stigma regarding victims than previously. The Prosecutor-General's Office estimated that between 6,000 and 10,000 rapes were committed annually. Researchers believed that 75 percent of these rapes were committed by a known assailant.

Trafficking in women for the purpose of sexual exploitation was a problem (see Section 5, Trafficking).

Sexual harassment is prohibited by law, and the Government generally enforced the law in practice. Employers who fail to protect employees from harassment are subject to fines or a maximum of 6 months' imprisonment. In practice, penalties imposed are generally fines, and persons who commit harassment could lose their job.

The country has a comprehensive equal rights law; women played a leading role in cultural, social, economic, and political life. The Government placed a high priority on gender equality. There are three primary government organizations devoted to gender equality issues. The Ombudsman for Equality, part of the Ministry for Social Affairs and Health, is an independent authority empowered to monitor compliance with the Equality Act. The Gender Equality Unit, also housed in the Ministry for Social Affairs and Health, develops policy recommendations on gender issues and handles tasks related to the EU's laws and policies on gender. A third body, the Council for Equality, coordinates and sponsors legislation to meet the needs of women as workers, mothers, widows, and retirees. The social welfare system provides benefits to both working and stay-at-home mothers, and to female students.

In practice, women still lagged behind men in terms of compensation and representation in top management positions in certain fields. Women's average earnings were 82 percent of those of men. Women were overrepresented in lower paying occupations, and men tended to dominate the upper ranks in industry and finance, the labor movement, and some government ministries. However, women were well represented in education and medicine, with more than half of all physicians being female. Women served in the armed forces. The Government's Equality Ombudsman judged 15 of the 74 cases it reviewed between January 1 and September 23 to be violations. In such cases, the law provides for correction of the situation as well as compensation for the plaintiff.

##### Children

The Government was strongly committed to children's rights and welfare. Public education and health care systems were well funded. Education was free and compulsory for all children ages 7 to 16. More than 99 percent of children between these ages attended school, and girls and boys were treated equally in the education system.

There were individual reports of child abuse, although there was no social pattern of such abuse, and the law reflects the national consensus supporting children's rights.

There were reports of trafficking of children for sexual exploitation (see Section 5, Trafficking).

#### Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked to and through the country.

On August 1, new legislation took effect that made trafficking in persons a criminal offense and permitted electronic surveillance methods such as wiretapping to facilitate the investigation of serious trafficking and child pornography cases. The maximum penalty for trafficking is at least 6 years' imprisonment. The law also defines separate crimes that could be used to convict traffickers, including gross forms of pimping, dissemination of child pornography, arranging illegal entries, and the marketing of sexual services.

The country was a destination and transit point for trafficked persons. Most trafficking involved women and girls from Russia and Estonia for sexual exploitation. Researchers estimated that approximately 6,000-8,000 women were trafficked into the country each year. However, the actual incidence of trafficking was unknown since police did not keep full statistics on the phenomenon. There were a few reports of persons trafficked to and through the country for labor. There were no reports of citizens being trafficked. Russian or Estonian organized crime syndicates trafficked most women and girls into the country. Although some of the women may have expected to work in such jobs as domestic servants or waitresses, most were aware that they would work as prostitutes. Economic coercion and exploitation of poor women seemed to play a larger role in trafficking than physical coercion or deception. The Schengen Treaty, which allows travelers already within EU borders to travel to any other EU country without inspection, facilitated the use of the country as a transit point for persons trafficked from Russia and the Baltics to Western Europe.

In September, an interagency working group chaired by the Foreign Ministry's Human Rights Unit was established to develop a new national action plan to combat trafficking. The group was focused on developing new victim protection and assistance measures. Ulla Anttila, the chairperson of the Parliamentary Human Rights Caucus, made fighting trafficking a top legislative priority; in September, Anttila organized a briefing on the legislative role in combating trafficking for parliamentarians and assistants. Although a few NGOs operated shelters for victims of domestic violence (with government funding), there was not yet a strong referral and assistance system in place for trafficking victims.

In September, the Government hosted a major Organization for Security and Cooperation in Europe conference on victim protection measures in Helsinki. Officials and NGO representatives were active internationally in antitrafficking fora, and a group of ministry officials, Members of Parliament, and NGO representatives traveled abroad in May to discuss with foreign officials ways to improve antitrafficking measures. Law enforcement and prosecutorial officials received training in antitrafficking measures.

#### Persons With Disabilities

There was no discrimination against persons with physical and mental disabilities in employment, education, access to health care, or in the provision of other state services. The law provides 120 to 240 hours of state-provided interpretation services annually to the deaf and the mute. The Government provided housing subsidies, free medical care, and other benefits to persons with severe disabilities. The law mandates access to buildings for persons with disabilities, and the Government generally enforced these provisions in practice; however, many older buildings remained inaccessible. A great deal of public transportation was accessible, but problems remained in some areas. Local transportation services provided a minimum of 18 free trips per month to persons with disabilities. Advocates for disabled persons in Parliament and in other institutions and organizations worked toward revising law and securing adequate funding to ensure that all persons with disabilities had access to satisfactory housing and transportation.

#### National/Racial/Ethnic Minorities

At the end of 2003, the number of immigrants was 107,100 or approximately 2 percent of the population. There were occasional reports of fights between native youth and immigrant youth, usually involving small groups of skinheads in more rural areas. Somali and Muslim immigrants were typically the targets of such incidents. There were also occasional reports of fighting between rival groups of immigrant youths. Although tension between ethnic Finns and immigrant groups was not overt, there were reports of racism and xenophobia. Most incidents involved the use of racial epithets toward immigrants in public. The chief ethnic-immigrant groups were Russians, Estonians, Arabs, Kosovar Albanians, Somalis, Vietnamese, Roma, and Ingrians.

A 2003 study on racism showed that nearly one-third of the 3,595 immigrants interviewed allegedly had experienced racism in

the previous 12 months. Most of the reported incidents were minor, such as racial epithets, while 10 percent were more serious, including assault. Approximately 70 percent of those who reported experiencing racism did not report it to police, explaining that they had experienced police discrimination.

The Government strongly encouraged tolerance and respect for minority groups and established an Ombudsman for Minorities to protect minority interests in the country. All government ministries included antiracism provisions in their educational information, personnel policy, and training programs. The Government also monitored police, border guards, and teachers regarding their treatment of immigrants and nonethnic groups. Police in the city of Mikkeli formed a special unit to investigate and prevent violence against immigrants. The Ombudsman for Minorities reported that there were 108 complaints during the year, of which 21 were judged to be violations.

The Minority Ombudsman criticized the way in which police treated some asylum seekers (see Section 2.d).

#### Indigenous People

Sami (Lapps) constituted less than 0.1 percent of the population. The Constitution provides for the protection of Sami language and culture, and the Government financially supported this protection and preservation. Sami enjoyed full political and civil rights as citizens, as well as a measure of autonomy in their own civil and administrative affairs. Sami had the right to use their language in dealings with administrative and judicial authorities and in schools, media, economic and commercial life, and cultural activities. Sami communities received subsidies to enable them to continue their traditional way of life.

#### Section 6 Worker Rights

##### a. The Right of Association

The Constitution provides for the rights of trade unions to organize and assemble peacefully. Approximately 79 percent of the workforce was organized. All unions were independent of the Government.

The law protects workers against antiunion discrimination. Collective bargaining agreements and labor law, both of which were enforced, govern complaint resolution.

##### b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively. Collective bargaining agreements usually were based on tripartite wage policy agreements among employees, employers, and the Government.

The law grants public sector employees the right to strike, with some exceptions for employees who provide essential services. A strike is legal when an employment contract is not in effect and the action is pursuant to new contract negotiations. Strikes are considered illegal after a contract agreed to by all parties is in effect. Fines may be imposed for illegal strikes. Workers exercised this right in practice; through June, there were 1 legal and 29 illegal strikes.

There are no export processing zones.

##### c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced or compulsory labor, including by children; however, there were reports that persons were trafficked for prostitution and labor (see Section 5).

##### d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits children under 16 years of age from working more than 6 hours a day or from working at night. The Labor Ministry enforces child labor regulations; there were no complaints about the exploitation of children in the work force.

##### e. Acceptable Conditions of Work

There is no legislated minimum wage, but the law requires all employers, including nonunionized ones, to meet the minimum wages agreed to in collective bargaining agreements in each sector. Almost all workers were covered under such arrangements. These negotiated minimum wages provided a decent standard of living for workers and their families.

The legal workweek consists of 5 days not exceeding 40 hours. Employees working shifts or during the weekend are entitled to a 24-hour rest period during the week. Many workers enjoyed better working conditions through effectively enforced collective bargaining agreements.

The Government sets occupational health and safety standards, and the Labor Ministry effectively enforced them. Workers may refuse dangerous work situations without risk of penalty.